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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,918	08/04/2003	Remo Corghi	CORGH114	4929

1444 7590 04/13/2004

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EXAMINER

HANLEY, JOHN C

ART UNIT PAPER NUMBER

2856

DATE MAILED: 04/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/632,918	Applicant(s) CORGHI, REMO	
	Examiner John C Hanley	Art Unit 2856	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/4/03</u> . | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over McInnes et al (US-6244108) in view of Bux et al (US-6122957). McInnes et al teach all of the elements of the balancing machine of claims 1 and 2, and the method steps of claim 4, except for the apparatus and method of imaging the inner rim of the wheel and displaying the proper position of the balancing weights on the image. Bux et al, Figure 4, shows the use of a camera 10 to image the inner rim of a wheel being balanced. In the last paragraph before the claims, Bux et al teach that the display device is connected to the computer of the balancing machine and graphically shows the evaluated outline as well as the optimal balancing values at the corresponding positions of the outline as determined by the computer such that, by means of the display, the optimal positions for mounting the balancing weights at the rim of the wheel may be found. Two paragraphs before the last, Bux et al indicate that the camera 10 is provided whose picture scanning area 11 is chosen such that the inner outline of the rim may be scanned completely. The camera converts the received picture into electrical signals which are processed in the connected computer in such a way that the outline is evaluated from the picture of the scanned portions of the rim. It would have been obvious to one of ordinary skill in the art at the time of

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applicant's invention to modify the display of the balancing machine of McInnes et al by using a camera, as taught in Bux et al, to display an outline of the rim so that the proper position of the weights to be added are graphically displayed on the display of the rim, so the operator can determine where to place the weights.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over McInnes et al in view of Bux et al as applied to claims 1,2 and 4 above, and further in view of Rothamel et al (US-5909097). McInnes et al and Bux et al lack a specific teaching of braking the rotation of the balancing shaft to stop the wheel being balanced so that the proper weight addition position is within the view of the operator on the display screen. Rothamel et al teaches a method of stopping an electric motor-driven balancing machine main shaft to a desired position so that the proper position of the weight to be applied is clear and available to the operator. It would have been obvious to one of ordinary skill in the art at the time of applicants invention to modify the balancing machine of the combination of McInnes et al in view of Bux et al to stop in a desired location for the purpose of proper weight addition, as taught in Rothamel et al. It would have been further obvious to stop the wheel in a position such that the desired position of weight placement is viewable on the display, since that is the purpose of the display of Bux et al; i.e., to indicate placement of the weight on the rim.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John C Hanley whose telephone number is 571-272-2195. The examiner can normally be reached on M-F 9AM-5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on 571-272-2208. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JCH



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